

REMARKS

Claims 1-30 of the application stand rejected. Claims 1, 8, 13, 19 and 26 have been amended herein to more clearly define the scope of the presently claimed invention. Applicant respectfully requests reconsideration of pending Claims 1-30 in light of the remarks herein.

35 U.S.C. § 112

Claims 1-30 stand rejected under 35 U.S.C. § 112 as failing to comply with the enablement requirement. Specifically, the Action objects to the term “monitoring” as in claim 1. The claims as amended no longer include the term “monitoring.” The rejection is therefore moot and should be withdrawn.

Claims 1-30 stand rejected under 35 U.S.C. § 112 as failing to comply with the definiteness requirement. Specifically, the Action objects to elements relating to “monitoring” e.g. as in claim 1. The claims as amended no longer include the term “monitoring.” The rejection is therefore moot and should be withdrawn.

Claims 19-23 stand rejected under 35 U.S.C. § 112 as incomplete for omitting essential steps. The Action argues that the essential step is a “reason or condition for rewriting the meta-data information.”

In *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976), the examiner argued that the only mode of operation of the process disclosed in the specification involved the use of a cooling zone at a particular location in the processing cycle. The claims were rejected because they failed to specify either a cooling step or the location of the step in the process. The court was convinced that the cooling bath and its location were essential, and held that claims which failed to recite the use of a cooling zone, specifically located, were not supported by an enabling disclosure (35 U.S.C. § 112, first paragraph).

Unlike *Mayhew*, however, claim 19 recites all essential elements of the method claimed. The Action specifically asserts that the missing step is the “*reason..* for rewriting the meta-data..” A *reason* is not an essential step. *Mayhew* may not be read as a basis to assert that the *purpose or reason* for an element in a method claim must also be

provided in addition to all elements of the method claim. The rejection of claims 19-23 under 35 U.S.C. § 112 cannot stand, therefore and should be withdrawn.

35 U.S.C. § 103

Claims 1-30 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Williams, U.S. Patent No. 7,055,091 (Williams).

The Action asserts the claim element relating to meta-data information in each independent claim of the Application, viz. claims 1, 8, 13, 19, and 26, is disclosed by Williams at 414, Fig. 4, and generally by Fig. 4. However, each independent claim as amended references meta-data information describing the electronic mail data whereas Williams only references meta-data relating to any URLs that may be embedded in the electronic mail data. Thus Williams does not teach this element of the claims as amended, and thus the rejection of claims 1, 8, 13, 19 and 26, and all their dependent claims, cannot stand and should be withdrawn.

CONCLUSION

Based on the foregoing, Applicant respectfully submits that the applicable objections and rejections have been overcome and that pending Claims 1-30 are in condition for allowance. Applicant therefore respectfully requests an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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